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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 10/633,785 | 08/04/2003 | Dinesh K. Jindal | LUTZ 2 00225 Jindal 3 | 6876 |

7590

01/10/2006

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EXAMINER

LE, DANH C

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/633,785 | JINDAL, DINESH K. | |
| | Examiner | Art Unit | |
| | DANH C. LE | 2683 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 10/28/05. These drawings are accepted by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 3-6, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niemela (US 2004/0003783) in view of Raetz (US 2004/0062260) and Spreizer (US 2005/0136832).**

As to claim 1, Niemela teaches in a cellular radio network having a plurality of base stations and a mobile switching center (figure 1B), a method for receiving and transmitting signals, the method comprising:

receiving a plurality of radio signals at different frequencies using a single radio receiver at said base station;

reading, processing and time-multiplexing said signals with a processor (paragraph 0033);

transmitting said time-multiplexed radio signal via a single physical link to a mobile switching center;

demultiplexing said time-multiplexed radio signal into independent radio signals corresponding to said incoming signals at said base station controller with another processor;

processing said independent radio signals with said another processor; and
routing said independent radio signals to the proper end users (136).

Niemela fails to teach continuous scanning said incoming signals and saving said signals to a buffer with a first processor, processing with second processor and demultiplex at the mobile switching center. Raetz teaches continuous scanning said incoming signals and saving said signals to a buffer with a first processor, processing with second processor (paragraph 0040). Spreizer teaches Base station controller locates locally with the mobile switching center (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Raetz and Spreizer into the system of Niemela in order to store a set of raw digital receiver data as Raetz suggest on paragraph 0040.

As to claim 2, the combination of Niemela, Raetz and Spreizer teaches the method defined in claim 1, the combination fails to teach said cellular radio network comprises a Frequency Division Multiple Access network. However, the examiner takes Official Notice that FDMA is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of FDMA into the system of Niemela in order to use in a variety of applications.

As to claim 3, the combination of Niemela, Raetz and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Time Division Multiple Access network (Niemela, paragraph 0027).

As to claim 4, the combination of Niemela, Raetz and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Global System for Mobile Communications (Niemela, paragraph 0045).

As to claim 5, the combination of Niemela, Raetz and Spreizer teaches the method defined in claim 1, wherein said cellular radio network comprises a Code Division Multiple Access network (Spreizer, paragraph 114).

As to claim 6, the claim is a system claim of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

As to claim 8, the claim is a system claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 9 the claim is a system claim of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

As to claim 10, the claim is a system claim of claim 5; therefore, the claim is interpreted and rejected as set forth as claim 5.

3. Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niemela, Raetz (US 2004/0062260) and Spreizer (US 2005/0136832) in view of Hurtta (US 2004/0157603).

As to claim 2, the combination of Niemela, Raetz and Spreizer teaches the method defined in claim 1, the combination fails to teach said cellular radio network

comprises a Frequency Division Multiple Access network. Hurttar teaches said cellular radio network comprises a Frequency Division Multiple Access network (paragraph 0007). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Hurttar into the system of Niemela in order to use in a variety of applications.

As to claim 7, the claim is a system claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

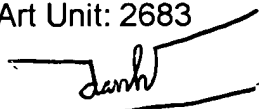
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Janh", is written over a horizontal line.

January 6, 2005.